| • | Application No. | Applicant(s) | |
|--|--|--|---------------------------|
| Notice of Allowability | 10/724,460 | BOURQUE ET AL. | |
| Notice of Allowability | Examiner | Art Unit | |
| | Gregory J. Strimbu | 3634 | |
| The MAILING DATE of this communication appea All claims being allowable, PROSECUTION ON THE MERITS IS (0 herewith (or previously mailed), a Notice of Allowance (PTOL-85) o NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIG of the Office or upon petition by the applicant. See 37 CFR 1.313 a | OR REMAINS) CLOSED in this a r other appropriate communication HTS. This application is subject | pplication. If not include on will be mailed in due | ed course. THIS |
| 1. \boxtimes This communication is responsive to <u>11/11/04 and the tele. in</u> | nt. of 1/21/05. | | |
| 2. The allowed claim(s) is/are <u>1-5</u> . | | | |
| 3. A The drawings filed on 26 November 2003 are accepted by the | e Examiner. | · | |
| 4. Acknowledgment is made of a claim for foreign priority und a) All b) Some* c) None of the: Certified copies of the priority documents have be completed. Certified copies of the priority documents have be completed. Copies of the certified copies of the priority documents have be copies of the priority documents have be copies. Copies of the certified copies of the priority documents have be completed. * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" of noted below. Failure to timely comply will result in ABANDONME. | peen received. Deen received in Application No Deen received in this Deen received in this Deen received in this Deen received in this Deen received in this | s national stage applica | |
| THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. A SUBSTITUTE OATH OR DECLARATION must be submitted in the sub | ed. Note the attached EXAMINEF | R'S AMENDMENT or N | OTICE OF |
| 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must l (a) ☐ including changes required by the Notice of Draftspersor | be submitted. | | |
| 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.8-each sheet. Replacement sheet(s) should be labeled as such in the | 4(c)) should be written on the draw | ings in the front (not the | back) of |
| DEPOSIT OF and/or INFORMATION about the deposition attached Examiner's comment regarding REQUIREMENT FOR A STATE OF THE PROPERTY OF THE P | t of BIOLOGICAL MATERIAL | must be submitted. N | Note the |
| Attachment(s) 1. Notice of References Cited (PTO-892) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08) Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material | 5. ☐ Notice of Informal 6. ☑ Interview Summar Paper No./Mail Da 7. ☑ Examiner's Amend 8. ☑ Examiner's Statem 9. ☐ Other | y (PTO-413), ate <u>1/21/05</u> . Iment/Comment | · |

Application/Control Number: 10/724,460

Art Unit: 3634

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Beaupre on January 21, 2005.

The application has been amended as follows:

In the claims:

claim 1,

line 16, inserted --when the sliding panel is moved into the closed position-following "opening"

line 19, changed "to limit" to -- and limiting--

line 20, inserted --when the sliding panel is in the open position and the engagement portion spaced from the upper portion of the sliding panel when the sliding panel is in the closed position-- following "fixed panel"

claim 4,

line 13, changed "in a first direction" to --to pivot about the upper portion of the runner when the sliding panel is moved into the closed position--

line 18, deleted "in a second direction opposite the"

Application/Control Number: 10/724,460

Art Unit: 3634

line 19, changed "first direction" to --and the engagement portion spaced from the upper portion of the sliding panel when the sliding panel is in the closed position--

claim 5.

line 1, changed "urge" to --bias--

line 2, deleted "in the first direction"

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: the prior art of record, absent applicant's own disclosure, fails to teach the entire combination of elements set forth in the claimed invention. Specifically, the prior art of record fails to teach the guide rail including an engagement portion overhanging the upper portion of the sliding panel, and the engagement portion engaging the upper portion of the sliding panel and limiting relative pivoting movement of the lower portion of the sliding panel away from the fixed panel when the sliding panel is in the open position and the engagement portion spaced from the upper portion of the sliding panel when the sliding panel is in the closed position. See lines 17-20 of claim 1. Additionally, the prior art of record fails to teach the guide rail includes an engagement portion adjacent to the channel, the engagement portion overhanging the upper portion of the sliding panel at least when the sliding panel is in the open position to thereby limit relative pivoting movement of the lower portion of the sliding panel and the engagement portion spaced from the

Art Unit: 3634

upper portion of the sliding panel when the sliding panel is in the closed position. See claim 4, lines 14-19.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 703-305-3979. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory . Strimby

Primary Examiner

Art Unit 3634

January 21, 2005

Interview Summary

| Application No. | Applicant(s) | |
|--------------------|----------------|--|
| 10/724,460 | BOURQUE ET AL. | |
| Examiner | Art Unit | |
| Gregory J. Strimbu | 3634 | |

| Ail participants (applicant, applicant's representative, PT | O personnel): |
|--|--|
| (1) <u>Gregory J. Strimbu</u> . | (3) |
| (2) <u>John Beaupre</u> . | (4) |
| Date of Interview: 21 January 2005. | |
| Type: a)⊠ Telephonic b)□ Video Conference c)□ Personal [copy given to: 1)□ applicant | 2) applicant's representative] |
| Exhibit shown or demonstration conducted: d) Yes If Yes, brief description: | e)⊠ No. |
| Claim(s) discussed: 1,4 and 5. | |
| Identification of prior art discussed: None. | |
| Agreement with respect to the claims f)⊠ was reached. | g) was not reached. h) N/A. |
| allowable, if available, must be attached. Also, where no allowable is available, a summary thereof must be attach THE FORMAL WRITTEN REPLY TO THE LAST OFFICE INTERVIEW. (See MPEP Section 713.04). If a reply to the section of the s | more accurately and patentably define the applicant's e the examiner's amendment for the changes made. Indicate the examiner's amendment for the changes made. Indicate the examiner agreed would render the claims copy of the amendments that would render the claims ed.) ACTION MUST INCLUDE THE SUBSTANCE OF THE me last Office action has already been filed, APPLICANT IS R THE MAILING DATE OF THIS INTERVIEW SUMMARY TOF THE SUBSTANCE OF THE INTERVIEW. See |
| | |
| | |
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| | |
| | |
| Examiner Note: You must sign this form unless it is an Attachment to a signed Office action. | Examiner's signature, if required |

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111. 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
 - (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

| | | | or <u>Fax</u> | (703) 746-4000 | giiiia 22313-1430 | | |
|--|---|--|---|--|--|---|--|
| INSTRUCTIONS: This fo appropriate. All further co- indicated unless corrected maintenance fee notification | respondence including the below or directed otherwise | smitting the ISSU Patent, advance or in Block 1, by (a | IE FEE and PUB | LICATION FEE (if requ | nired). Blocks 1 through 5 s will be mailed to the current and/or (b) indicating a sep | hould be completed where correspondence address as arate "FEE ADDRESS" for | |
| | CE ADDRESS (Note: Use Block I for | any change of address) | | Note: A certificate o | f mailing can only be used f | or domestic mailings of the | |
| . 49003 7500 03/01/2005 | | | | Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, mushave its own certificate of mailing or transmission. | | | |
| BRINKS HOFER GILSON & LIONE/CHICAGO/COOK | | | | | | | |
| PO BOX 10395 CHICAGO, IL 606 | | CHICAGO/ | COOK | I hereby certify that to States Postal Service addressed to the Ma transmitted to the LIS | rtificate of Mailing or Tran his Fee(s) Transmittal is bein with sufficient postage for fi il Stop ISSUE FEE address PTO (703) 746-4000, on the | smission g deposited with the United st class mail in an envelope a above, or being facsimile date indicated below | |
| i | | • | | Transmitted to the OS | 110 (103) 140 4000; on the | (Depositor's name) | |
| | | | | | | (Signature) | |
| | | | | | | (Date) | |
| APPLICATION NO. | FILING DATE | | FIRST NAMED INV | 'ENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. | |
| 10/724,460 | 11/26/2003 | | Jeffrey Gerard B | ourque | 10541-1879 | 6213 | |
| TITLE OF INVENTION: S | LIDING CLOSURE PANEI | . ASSEMBLY FE. | ATURING SINGL | E SUPPORT RAIL | | | |
| APPLN. TYPE | SMALL ENTITY | ISSUE F | EE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE | |
| nonprovisional | NO | \$1400 |) | \$300 | \$1700 | 05/02/2005 | |
| EXAM | IINER | ART UN | IIT | CLASS-SUBCLASS | 7 | | |
| STRIMBU, | GREGORY J | 3634 | | 049-413000 | - | | |
| CFR 1.363). Change of correspond Address form PTO/SB/1 "Fee Address" indica PTO/SB/47; Rev 03-02 Number is required. | e address or indication of "F dence address (or Change of 22) attached. tion (or "Fee Address" Indic or more recent) attached. Us | Correspondence ation form e of a Customer | (1) the names or agents OR, a (2) the name of registered attor 2 registered pal listed, no name | f a single firm (having as ney or agent) and the nament tent attorneys or agents. I will be printed. | a member a 2 | | |
| | RESIDENCE DATA TO E | | • | ** * | | | |
| recordation as set forth in | an assignee is identified by 37 CFR 3.11. Completion. | elow, no assignee of this form is NO | data will appear of T a substitute for fi | n the patent. If an assig ling an assignment. | nee is identified below, the | locument has been filed for | |
| (A) NAME OF ASSIGN | EE | (E | 3) RESIDENCE: (0 | CITY and STATE OR CO | OUNTRY) | | |
| Please check the appropriate | e assignee category or catego | ries (will not be pr | inted on the patent |): 🗖 Individual 🗖 (| Corporation or other private gr | oup entity Government | |
| 4a. The following fee(s) are | | | . Payment of Fee(| s): | | | |
| Issue Fee | | | A check in the amount of the fee(s) is enclosed. | | | | |
| _ | small entity discount permitte | | Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized by charge the required fee(s), or credit any overpayment, | | | | |
| Advance Order - # o | f Copies | | Deposit Account | is hereby authorized by Number | charge the required fee(s), or (enclose an extra | credit any overpayment, to copy of this form). | |
| 5. Change in Entity Status | | | | | II SVENERY C 25 | NED 1.07()(0) | |
| | MALL ENTITY status. See | | | | ALL ENTITY status. See 37 (| | |
| NOTE: The Issue Fee and P interest as shown by the reco | by the United States Pat | will not be accepte ent and Trademark | d from anyone other | er than the applicant; a re | sly paid issue fee to the applic gistered attorney or agent; or t | he assignee or other party in | |
| Authorized Signature | | | | Date | | | |
| | | | | _ | n No | | |
| This collection of informatic an application. Confidential submitting the completed at this form and/or suggestions Box 1450, Alexandria, Virg | on is required by 37 CFR 1.3 ity is governed by 35 U.S.C pplication form to the USPT is for reducing this burden, slinia 22313-1450. DO NOT | 11. The information 122 and 37 CFR O. Time will vary nould be sent to the SEND FEES OR (| on is required to ob 1.14. This collectic depending upon t e Chief Informatio COMPLETED FO | tain or retain a benefit by on is estimated to take 12 he individual case. Any on n Officer, U.S. Patent and RMS TO THIS ADDRES | the public which is to file (ar minutes to complete, includi comments on the amount of the d Trademark Office, U.S. Dep S. SEND TO: Commissioner | d by the USPTO to process) ng gathering, preparing, and ime you require to complete our them. of Commerce, P.O. for Patents, P.O. Box 1450. | |

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| APPLICATION N | O. F. | ILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. | |
|--|-------|-----------------------------------|----------------------|-------------------------|------------------|--|
| 10/724,460 | | 11/26/2003 Jeffrey Gerard Bourque | | 10541-1879 | 6213 | |
| 48003 | 7590 | 02/01/2005 | | EXAM | INER | |
| BRINKS HOFER GILSON & LIONE/CHICAGO/COOK | | | STRIMBU, C | STRIMBU, GREGORY J | | |
| PO BOX 103 CHICAGO, I | | | | ART UNIT | PAPER NUMBER | |
| · | | | | 3634 | | |
| | | | | DATE MAILED: 02/01/200: | 5 | |

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS

P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

48003

7590

02/01/2005

BRINKS HOFER GILSON & LIONE/CHICAGO/COOK PO BOX 10395 CHICAGO, IL 60610 EXAMINER
STRIMBU, GREGORY J

ART UNIT

PAPER NUMBER

3634

DATE MAILED: 02/01/2005

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|------------------------|---------------------|------------------|
| 10/724,460 | 11/26/2003 | Jeffrey Gerard Bourque | 10541-1879 | 6213 |

TITLE OF INVENTION: SLIDING CLOSURE PANEL ASSEMBLY FEATURING SINGLE SUPPORT RAIL

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|--------------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO | \$1400 | \$300 | \$1700 | 05/02/2005 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
- B. If the status above is to be removed, check box 5b on Part B Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.
- II. PART B FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.
- III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

COMMISSIONER FOR PATENT PO BOX 1450 CONTRACTOR ALEXANDRIA, VA 22313-1450 F. UNDELIVERABLE RETURN

* OFFICIAL BUSINESS

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